

REMARKS

With the entry of the present amendment, Claims 1, 4, 5, 8, 21 and 22 remain pending in this application. Claims 9 and 10 stand withdrawn as directed to a non-elected species.

In the Office Action Made Final dated November 28, 2007, claims 1 and 8 were rejected under 35 U.S.C. § 103 as being obvious over U.S. 3,852,540 to Diethelm ("Diethelm") in combination with U.S. 4,870,688 to Voroba et al. ("Voroba"); claim 21 was rejected under 35 U.S.C. § 103 as being obvious over Diethelm and Voroba in combination with U.S. 2,487,038 to Baum ("Baum") and U.S. 2,246,737 to Knudsen ("Knudsen"); and claim 22 was rejected under 35 U.S.C. § 103 as being obvious over Voroba in combination with U.S. 4,736,430 to Schroder ("Schroder"). For the following reasons, it is respectfully submitted that these rejections are all overcome, and that all the pending claims are allowable.

In the response to Applicants' arguments, the Examiner indicated the view that claims 1, 21 and 22 did not suggest that both the battery and receiver are non-removable. Claims 1, 21 and 22 have been amended to recite "the earmold unit adapted to contain both a battery and a hearing aid component non-removably integrated within the earmold unit" (claim 1); "the earmold being non-removably integrated with both a battery and a receiver that are non-removable" (claim 21); and "the earmold adapted to contain both a battery and a receiver non-removably integrated within the earmold" (claim 22). Claim 22 has also been amended to address a typographical error noted by the Examiner. The arguments made in the prior Amendment (dated October 23, 2007) with respect to the cited references apply to the claims as amended. Accordingly, the rejections are believed to be overcome. Reconsideration of the rejections and rejoinder of the withdrawn claims 9 and 10 are respectfully requested.

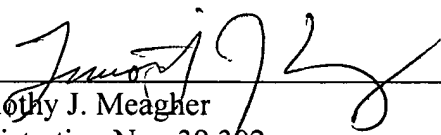
Applicants' Attorney acknowledges a telephonic interview with the Examiner on February 21, 2008 during which proposed claim amendments substantially identical to those herein were discussed. No agreement was reached during that telephonic interview.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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